

MEMORANDUM

Special Item No. 7

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

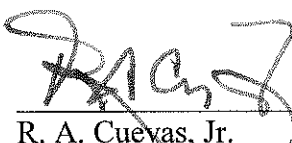
DATE: January 29, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance relating to for-hire
limousines; amending
Chapter 31, Article VI of the
Code, relating to the definition
of pre-arranged limousine
transportation

This item was amended at the Transportation and Aviation Committee meeting on January 15, 2014 to provide that "pre-arranged" means a written, electronic or telephone reservation made at least fifteen minutes in advance by the person requesting service through the place of business of the for-hire license holder for the provision of limousine service for a specified period of time.

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Sally A. Heyman and Co-Sponsor Commissioner Esteban L. Bovo, Jr.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum



Date: January 29, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Ordinance Relating to For-Hire Limousines; Amending Chapter 31, Article VI of the Code; Relating to the Definition of Pre-Arranged Limousine Transportation

The proposed ordinance pertains to for-hire limousines; amends Chapter 31, Article VI of the Code; and amends the definition and regulation of pre-arranged limousine transportation. Implementation of this ordinance will not have a fiscal impact to the County.



Jack Osterholt
Deputy Mayor

Fis3014



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: January 29, 2014

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Special Item No. 7

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Special Item No. 7
1-29-14

ORDINANCE NO. _____

ORDINANCE RELATING TO FOR-HIRE
LIMOUSINES; AMENDING CHAPTER 31, ARTICLE
VI OF THE CODE OF MIAMI-DADE COUNTY,
FLORIDA, RELATING TO THE DEFINITION OF PRE-
ARRANGED LIMOUSINE TRANSPORTATION;
PROVIDING SEVERABILITY, INCLUSION IN THE
CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS
OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Chapter 31 of the Code of Miami-Dade County, Florida, is hereby
amended to read as follows:¹

**ARTICLE VI. LICENSING AND
REGULATION OF FOR-HIRE
LIMOUSINES**

Section 31-601. Definitions.

* * *

(bb) *Pre-arranged or pre-arrange* means a written~~>>~~,
electronic~~<<~~ or telephone reservation made at least
~~>>~~fifteen minutes~~<<~~² ~~[[one hour]]~~ in advance by the
person requesting service ~~[[at]]~~~~>>~~through~~<<~~ the
place of business of the for-hire license holder for
the provision of limousine service for a specified
period of time.

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or ~~>>~~double arrowed~~<<~~ constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

² Committee amendments are indicated as follows: Words double stricken through and/or ~~[[double bracketed]]~~ are deleted, words double underlined and/or ~~>>~~double arrowed~~<<~~ are added.

* * *

Section 31-602. For-hire limousine licenses.

* * *

(b) Out-of-County origin exception. Nothing in this article shall be construed to prohibit discharge within Miami-Dade County of any passenger lawfully picked up in another County and lawfully transported into Miami-Dade County. Notwithstanding any provision to the contrary, (1) Any passenger lawfully picked up in another county, transported to, and discharged at any location within Miami-Dade County, may be picked up at the discharge location and returned to the county of origin as long as the transportation is part of a pre-arranged, round-trip fare pursuant to a written contract, the limousine has complied with all of the regulatory requirements of the other county and the county where the passenger is picked up has adopted a similar provision; and (2) A limousine from another county may pick up a passenger at either the Miami International Airport (MIA) or the Miami-Dade Seaport (Seaport) and transport said passenger directly to the limousine's county of origin as long as the transportation is part of a pre-arranged one-way continuous fare pursuant to a written contract, the passenger arrived at either the MIA or the Seaport, the limousine has complied with all of the regulatory requirements of the other county and the county where the passenger is picked up has adopted a similar provision. Pre-arranged means a written >>, electronic<< or telephone reservation made at least >>fifteen minutes<<[[one hour]] in advance by the person requesting service >>through<<[[at]] the place of business of the for-hire license holder for the provision of limousine service for a specified period of time. Any limousine that picks up or discharges passengers at either the MIA or the Seaport shall meet the MIA and the Seaport limousine requirements. A copy of the contract shall be in the possession of the chauffeur at all times and shall be made available to enforcement personnel upon request.

* * *

(k) Rules of operation. For-hire license holders shall abide by all rules and regulations applicable to for-hire license holders and shall be subject to the enforcement provisions contained in this chapter and chapter 8CC of the Miami-Dade County Code. A for-hire license holder shall comply with the following regulations:

* * *

- (22) Not allow a driver to solicit or pick up passengers other than by prearrangement ~~[[through a person located at the limousine license holder's place of business]].~~

* * *

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.


Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Gerald K. Sanchez

Prime Sponsor: Commissioner Sally A. Heyman
Co-Sponsor: Commissioner Esteban L. Bovo, Jr.